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Attorney For Plaintiffs In Adversary Proceeding

**In The United States Bankruptcy Court
For The Northern District Of Texas
Dallas Division**

In re:

**Carl R. McCoy
Diana V. McCoy**

Debtors

**Case No. 07-33675-bjh-7
Chapter 7 Bankruptcy**

**Carl R. McCoy
Diana V. McCoy**

Plaintiffs

v.

Adv. No. 08-03494-bjh

**Hospital Partners of America, Inc.
d/b/a Trinity Medical Center
Defendant**

Notice of Dismissal of Complaint for Contempt and Damages

Plaintiffs, pursuant to Fed. R. Bank. P. Rule 7041, files this Notice of Dismissal of Complaint for Contempt and Damages. Hospital Partners of America, Inc. is not the proper party to which this complaint pertains. No answer or motion for summary judgment has been filed by any adverse party duly served herein.

Respectfully submitted,

CHARLES (CHUCK) NEWTON
Texas Bar No. 14976250
CHARLES NEWTON & ASSOCIATES

Attorney For The Plaintiffs,
Mr. and Mrs. McCoy

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Notice of Dismissal of Complaint for Contempt and Damages was sent to the following parties by the means stated below:

Carl R. McCoy
Diana V. McCoy
Debtors / Plaintiffs
2634 Wynchase Lane
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Hospital Parnters of America, Inc.
Alleged Defendant
d/b/a Trinity Medical Center
c/o Corporation Service Company
d/b/a CSC-Lawyers Inc,
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DATED: January 16, 2009



CHARLES (CHUCK) NEWTON